UNITED NATIONS

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General Assembly

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A/RES/46/134
2 March 1992

Forty-sixth session
Agenda item 98

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721 and Corr.1)]

46/134. Situation of human rights in Iraq

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights;

Recalling Security Council resolution 688 (1991) of 5 April 1991, in which the Council demanded an end to the repression of the Iraqi civilian population and insisted that Iraq should cooperate with humanitarian organizations and ensure that the human and political rights of all Iraqi citizens are respected,

Recalling also the pertinent resolutions of the Commission on Human Rights and the Subcommission on Prevention of Discrimination and Protection of Minorities, which expressed grave concern at the flagrant violations of human rights by the Government of Iraq,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

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Recalling in particular Commission on Human Rights resolution 1991/74 of 6 March 1991, 3/ in which the Commission requested its Chairman to appoint a special rapporteur to make a thorough study of the violations of human rights by the Government of Iraq, based on all information the special rapporteur may deem relevant, including information provided by intergovernmental and non-governmental organizations and any comments and material provided by the Government of Iraq, and to submit an interim report thereon to the General Assembly at its forty-sixth session and a report to the Commission at its forty-eighth session,

Deeply concerned by the volume and extent of allegations of human rights violations by the Government of Iraq, such as arbitrary arrests and detentions, enforced or involuntary disappearances, torture, inhuman or degrading practices, extrajudicial killings, summary or arbitrary executions, hostage-taking and use of persons as "human shields", the lack of freedom of expression and the absence of an independent judiciary,

Noting the view of the Special Rapporteur that these allegations are each day increasing and necessitate considerable and detailed examination,

Deeply concerned by the fact that chemical weapons have been used on the Kurdish civilian population, by the forced displacement of hundreds of thousands of Kurds and the destruction of Kurdish towns and villages, as well as by the situation of tens of thousands of displaced Kurds living in camps in the north of Iraq and by the deportation of thousands of Kurdish families,

Also deeply concerned by the repressive measures taken by the Government of Iraq against the Shiah communities in the south of Iraq,

Concerned especially by the alleged use of excessive force by the Government of Iraq against Iraqi civilians, in particular the Kurds and the Shiites,

Noting with interest the message conveyed to the Special Rapporteur by the Government of Iraq of its intention fully to cooperate with him, with such cooperation including acceptance of a visit to Iraq to investigate the allegations of violations of human rights in that country,

Regretting, however, that the Government of Iraq has failed to answer a considerable number of specific questions asked by the Special Rapporteur on acts being committed by the Government of Iraq that are incompatible with international human rights instruments that are binding on that Government,

1. Takes note with appreciation of the interim report of the Special Rapporteur 4/ and the considerations and observations contained therein;

2. Expresses its deep concern about the numerous and detailed allegations of grave human rights violations by the Government of Iraq to which the Special Rapporteur has referred in his report, in particular:

3/ See Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

4/ A/46/647, annex.

(a) Arbitrary detention, including that of women, children and the elderly, as well as the systematic practice of torture and other cruel, inhuman or degrading practices, and of enforced or involuntary disappearances as a part of a general structured programme of repression aimed at quelling opposition;

(b) Extrajudicial killings, including political killings and summary or arbitrary executions throughout the country, particularly in the northern Kurdish autonomous region, in southern Shiah centres and in the southern marshes;

(c) Hostage-taking and the use of persons as "human shields", a most grave and blatant violation of Iraq's obligations under international law;

3. Calls upon the Government of Iraq to release all persons arrested and detained without ever being informed of charges against them, and without access to legal counsel or due process of law;

4. Also calls upon the Government of Iraq, as a State party to the International Covenant on Civil and Political Rights, 2/ to abide by its obligations under this Covenant and under other international instruments on human rights, and particularly to respect and ensure these rights for individuals irrespective of their origin within its territory and subject to its jurisdiction, including Kurds and Shiites;

5. Regrets the failure of the Government of Iraq to provide satisfactory replies to all the allegations of violations of human rights, and calls upon it to reply quickly in a comprehensive and detailed manner to these allegations so as to enable the Special Rapporteur to form an accurate assessment as a basis for his recommendations to the Commission on Human Rights;

6. Urges, therefore, the Government of Iraq to accord its full cooperation to the Special Rapporteur during his forthcoming visit to Iraq to investigate the allegations of violations of human rights;

7. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur to fulfil his mandate;

8. Decides to continue the examination of the situation of human rights in Iraq during its forty-seventh session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

75th plenary meeting
17 December 1991

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721 and Corr.1)]

46/135. Situation of human rights in Kuwait under Iraqi occupation

The General Assembly,

Recalling its resolution 45/170 of 18 December 1990,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and the Geneva Conventions of 12 August 1949, 3/

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil obligations they have freely undertaken under the various international instruments,

Expressing its grave concern at the grave violations of human rights and fundamental freedoms during the occupation of Kuwait,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

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1. Takes note with satisfaction of Commission on Human Rights resolution 1991/67 of 6 March 1991; 4/

2. Expresses its appreciation to the Special Rapporteur on the situation of human rights in Kuwait under Iraqi occupation for his preliminary report; 5/

3. Expresses its deep concern for Kuwaiti and third-country national detainees and missing persons in Iraq;

4. Requests the Government of Iraq to provide information on all Kuwaiti persons and third-country nationals deported from Kuwait between 2 August 1990 and 26 February 1991 who may still be detained and, in accordance with its obligations under article 118 of the Geneva Convention relative to the Treatment of Prisoners of War of 12 August 1949 6/ and article 134 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, 7/ to release these persons without delay;

5. Also requests the Government of Iraq to provide, in accordance with its obligations under articles 120 and 121 of the Geneva Convention relative to the Treatment of Prisoners of War and articles 129 and 130 of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, detailed information on persons arrested in Kuwait between 2 August 1990 and 26 February 1991 who may have died during or after that period while in detention, as well as on the site of their graves;

6. Further requests the Government of Iraq to search for the persons still missing and to cooperate with international humanitarian organizations, such as the International Committee of the Red Cross, in this regard;

7. Requests that the Government of Iraq cooperate with and facilitate the work of international humanitarian organizations, notably the International Committee of the Red Cross, in their search for and eventual repatriation of Kuwaiti and third-country national detainees and missing persons.

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4/ See Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

5/ A/46/544 and Corr.1.

6/ United Nations, Treaty Series, vol. 75, No. 972.

7/ Ibid., No. 973.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721 and Corr.1)]

46/136. Situation of human rights in Afghanistan

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and accepted humanitarian rules as set out in the Geneva Conventions of 12 August 1949 3/ and the Additional Protocols thereto, of 1977, 4/

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have freely undertaken under the various international instruments,

Recalling Economic and Social Council resolution 1984/37 of 24 May 1984, in which the Council requested the Chairman of the Commission on Human Rights to appoint a special rapporteur to examine the situation of human rights in Afghanistan, with a view to formulating proposals that could contribute to ensuring full protection of the human rights of the inhabitants of the country before, during and after the withdrawal of all foreign forces,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

4/ Ibid., vol. 1125, Nos. 17512 and 17513.

/...

Recalling also its resolution 45/174 of 18 December 1990 and all its other relevant resolutions, as well as the resolutions of the Commission on Human Rights and decisions of the Economic and Social Council,

Taking note in particular of Commission on Human Rights resolution 1991/78 of 6 March 1991, 5/ in which the Commission decided to extend the mandate of the Special Rapporteur on the situation of human rights in Afghanistan for one year, and of Economic and Social Council decision 1991/259 of 31 May 1991, in which the Council confirmed the extension and requested the Special Rapporteur to report to the General Assembly at its forty-sixth session on the situation of human rights in Afghanistan,

Emphasizing the relevance and validity for all parties concerned of the Agreements on the Settlement of the Situation Relating to Afghanistan, concluded at Geneva on 14 April 1988, 6/ which constitute an important step towards a comprehensive political solution,

Underlining the importance of the statement by the Secretary-General of 21 May 1991, 7/ in which he provided a five-point peace plan to serve as the basis for a comprehensive political settlement in Afghanistan, acceptable to the majority of the Afghan people,

Noting with satisfaction the joint statement of the United States of America and the Union of Soviet Socialist Republics of 13 September 1991 8/ on the simultaneous cut-off of weapons deliveries to the Afghan parties by 1 January 1992, and expressing the hope that such agreement will be implemented on a broader basis,

Noting with deep concern that a situation of armed conflict persists in Afghanistan, that acts of terrorism are perpetrated on a wide scale against the civilian population, that the treatment of prisoners detained in connection with the conflict usually does not conform to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977,

Deeply concerned that more than five million refugees are still living outside Afghanistan, that many Afghans are displaced within the country and that despite a slight improvement of the conditions for the return of refugees, no massive return has been reported,

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5/ See Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

6/ S/19835, annex I.

7/ A/46/606, annex I.

8/ See A/46/595-S/23163; see Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991, document A/23163.

Aware that the reasons given by the refugees for not returning to Afghanistan pending the achievement of a comprehensive political solution and the establishment of a broad-based government include the continued fighting in some provinces, the use of very destructive arms in the conflict, the minefields that have been laid in many parts of the country, the lack of an effective authority in many areas, the destruction of the economy and other obstacles that would be encountered by refugees in returning to the country,

Commending the activity carried out by the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross in cooperation with the Afghan authorities, as well as non-governmental organizations, in favour of the people of Afghanistan,

Taking note with appreciation of the interim report of the Special Rapporteur on the situation of human rights in Afghanistan 9/ and of the conclusions and recommendations contained therein,

1. Welcomes the cooperation of the Afghan authorities with the Special Rapporteur on the situation of human rights in Afghanistan;

2. Welcomes the cooperation that the Afghan authorities have extended, in particular to the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and to international organizations, such as the specialized agencies, the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross;

3. Welcomes the fact that the Special Rapporteur was able to visit areas in Afghanistan not under government control;

4. Welcomes the steps taken by the Afghan authorities to reform the judicial system in order to conform it to international standards, and encourages them to continue with this process;

5. Urges all parties concerned to increase their efforts in order to achieve a comprehensive political solution based on the five points of the Secretary-General's plan 7/ on the free exercise of the right to self-determination by the people of Afghanistan through democratic procedures acceptable to them, including free and fair elections, the cessation of hostilities and the creation of conditions that will permit the free return of refugees to their homeland in safety and honour, whenever they wish, and the full enjoyment of human rights and fundamental freedoms by all Afghans;

6. Also urges all parties to the conflict to respect accepted humanitarian rules as set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977, to halt the use of weapons against the civilian population, to protect all prisoners from acts of reprisals and violence, including ill-treatment, torture and summary executions, to transmit to the International Committee of the Red Cross the names of all prisoners, to expedite the exchange of prisoners wherever they may be held and to grant to the Committee unrestricted access to all parts of the country and the right to visit all prisoners in accordance with its established criteria;

9/ A/46/606.

7. Calls upon all States and parties concerned to render all possible assistance in order to resolve the issue of all prisoners of war detained as a result of the conflict, including those from the forces loyal to the Afghan authorities and opposition groups as an important humanitarian question;

8. Also calls upon all States and parties concerned to render all possible assistance in order to resolve the issue of the Soviet prisoners of war as an important humanitarian question;

9. Calls upon the Afghan authorities to investigate thoroughly the fate of those persons who have disappeared, to apply amnesty decrees equally to foreign detainees, to reduce the period during which prisoners await trial, to treat all prisoners, especially those awaiting trial or those in custody in juvenile rehabilitation centres, in accordance with the Standard Minimum Rules for the Treatment of Prisoners, 10/ adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, and to apply to all convicted persons article 14, paragraphs 3 (d) and 5, of the International Covenant on Civil and Political Rights; 2/

10. Takes note with interest of the reply of the Soviet authorities concerning the fate of those Afghan children who are in the Union of Soviet Socialist Republics; 11/

11. Notes improvements in the treatment of prisoners and urges all the parties to the conflict to conform fully to the humanitarian rules set out in the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto, of 1977;

12. Notes with concern the allegations of atrocities that are still committed against Afghan soldiers, civil servants and captured civilians;

13. Requests the Afghan authorities to take the proper steps in order to permit activity by the political opponents, and appeals to all conflicting parties to act likewise;

14. Appeals to the Afghan authorities to commute the death sentences imposed on the persons who were allegedly involved in the attempted coup d'état of March 1991;

15. Expresses its concern at reports that the living conditions of refugees, especially those of women and children, are becoming increasingly difficult because of the decline in international humanitarian assistance;

16. Urgently appeals to all Member States, humanitarian organizations and all parties concerned to cooperate fully, especially on the subject of mine detection and clearance, in order to facilitate the return of refugees and displaced persons to their homes in safety and dignity, in conformity with the Agreements on the Settlement of the Situation Relating to Afghanistan;

10/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1).

11/ See A/46/606, para.75.

17. Urgently appeals to all Member States and humanitarian organizations to continue to promote the implementation of the projects envisaged by the Coordinator for Humanitarian and Economic Assistance Programmes Relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees, especially the pilot projects for the repatriation of refugees;

18. Urges all parties concerned to undertake all necessary measures to ensure the safety of the personnel of humanitarian organizations involved in the implementation of United Nations humanitarian and economic assistance programmes relating to Afghanistan and the programmes of the United Nations High Commissioner for Refugees;

19. Also urges all parties concerned to extend their full cooperation to the Commission on Human Rights and its Special Rapporteur;

20. Requests the Secretary-General to give all necessary assistance to the Special Rapporteur;

21. Decides to keep under consideration, during its forty-seventh session, the situation of human rights in Afghanistan in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721/Add.1 and Corr.1)]

46/137. Enhancing the effectiveness of the principle of periodic and genuine elections

The General Assembly,

Recalling its resolutions 44/146 of 15 December 1989 and 45/150 of 18 December 1990, as well as Commission on Human Rights resolution 1989/51 of 7 March 1989, 1/

Having considered the report of the Secretary-General, 2/

Aware of its obligations under the Charter of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to promote and encourage respect for human rights and fundamental freedoms for all,

Reaffirming the Universal Declaration of Human Rights, 3/ which provides that everyone has the right to take part in the government of his or her country, directly or through freely chosen representatives, that everyone has the right of equal access to public service in his or her country, that the will of the people shall be the basis of the authority of government and that this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures,

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1/ See Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

2/ A/46/609 and Corr.1 and Add.1 and 2.

3/ Resolution 217 A (III).

/...

Noting that the International Covenant on Civil and Political Rights 4/ provides that every citizen shall have the right and the opportunity, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, to take part in the conduct of public affairs, directly or through freely chosen representatives, to vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors, and to have access, on general terms of equality, to public service in his or her country,

Condemning the system of apartheid and any other denial or abridgement of the right to vote on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, under the Charter, all States enjoy sovereign equality and that each State, in accordance with the will of its people, has the right freely to choose and develop its political, social, economic and cultural systems,

Recognizing that there is no single political system or electoral method that is equally suited to all nations and their people and that the efforts of the international community to enhance the effectiveness of the principle of periodic and genuine elections should not call into question each State's sovereign right, in accordance with the will of its people, freely to choose and develop its political, social, economic and cultural systems, whether or not they conform to the preferences of other States,

Noting with appreciation the advisory services and technical assistance provided by the Centre for Human Rights of the Secretariat as well as the technical assistance provided by the Department of Technical Cooperation for Development of the Secretariat and the United Nations Development Programme to some Member States, including those in transition to democracy, at their request, and inviting those bodies to continue and intensify these efforts as requested,

Noting the electoral assistance provided to Member States at their request by the Organization,

Affirming that electoral verification by the United Nations should remain an exceptional activity of the Organization to be undertaken in well-defined circumstances, primarily in situations with a clear international dimension,

Taking note of the criteria contained in paragraph 79 of the report of the Secretary-General 5/ which ought to be met before the Organization agrees to requests for electoral verification,

1. Takes note with appreciation of the report of the Secretary-General;

4/ See resolution 2200 A (XXI), annex.

5/ See A/46/609 and Corr.1.

2. Underscores the significance of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, which establish that the authority to govern shall be based on the will of the people, as expressed in periodic and genuine elections;

3. Stresses its conviction that periodic and genuine elections are a necessary and indispensable element of sustained efforts to protect the rights and interests of the governed and that, as a matter of practical experience, the right of everyone to take part in the government of his or her country is a crucial factor in the effective enjoyment by all of a wide range of other human rights and fundamental freedoms, embracing political, economic, social and cultural rights;

4. Declares that determining the will of the people requires an electoral process that provides an equal opportunity for all citizens to become candidates and put forward their political views, individually and in cooperation with others, as provided in national constitutions and laws;

5. Underscores the duty of each Member State, in accordance with the provisions of the Charter of the United Nations, to respect the decisions taken by other States, in accordance with the will of their people, in freely choosing and developing their electoral institutions;

6. Reaffirms that apartheid must be abolished, that the systematic denial or abridgement of the right to vote on the grounds of race or colour is a gross violation of human rights and an affront to the conscience and dignity of mankind, and that the right to participate in a political system based on common and equal citizenship and universal franchise is essential for the exercise of the principle of periodic and genuine elections;

7. Affirms the value of the electoral assistance that the United Nations has provided at the request of some Member States, in the context of full respect for their sovereignty;

8. Believes that the international community should continue to give serious consideration to ways in which the United Nations can respond to the requests of Member States as they seek to promote and strengthen their electoral institutions and procedures;

9. Endorses the view of the Secretary-General that he should designate a senior official in the Offices of the Secretary-General to act as a focal point, in addition to existing duties and in order to ensure consistency in the handling of requests of Member States organizing elections, who would assist the Secretary-General to coordinate and consider requests for electoral verification and to channel requests for electoral assistance to the appropriate office or programme, to ensure careful consideration of requests for electoral verification, to build on experience gained to develop an institutional memory, to develop and maintain a roster of international experts who could provide technical assistance as well as assist in the verification of electoral processes and to maintain contact with regional and other intergovernmental organizations to ensure appropriate working arrangements with them and the avoidance of duplication of efforts, and requests the Secretary-General to designate such an official to take on these tasks;

10. Determines that the designation of the senior official would neither pre-empt nor supersede ongoing arrangements regarding electoral assistance nor prejudice the operational arrangements for missions that the Organization may decide to undertake;

11. Requests the Secretary-General to allocate whenever appropriate, and within existing resources, a small number of staff and other resources to support the designated senior official in carrying out his or her functions;

12. Commends the Centre for Human Rights of the Secretariat as well as the Department of Technical Cooperation for Development of the Secretariat and the United Nations Development Programme for the advisory services and technical assistance that they have provided and continue to provide to requesting Member States, and requests that they collaborate closely with the senior official designated by the Secretary-General and inform him or her of the assistance provided and activities undertaken by them in the area of electoral assistance;

13. Requests the Secretary-General to notify the competent organ of the United Nations upon receipt of official requests from Member States for electoral verification and, upon the direction of that organ, to provide appropriate assistance;

14. Also requests the Secretary-General to establish, in accordance with United Nations financial regulations, a voluntary trust fund for cases where the requesting Member State is unable to finance, in whole or in part, the electoral verification mission and to propose guidelines for disbursements therefrom;

15. Affirms the effectiveness of and the need for coordination with intergovernmental organizations, including regional organizations having international electoral assistance experience;

16. Commends the efforts of non-governmental organizations that have provided electoral assistance at the request of Member States;

17. Invites those Member States which have not responded to the Secretary-General's request, pursuant to paragraph 10 of resolution 45/150, to submit views concerning suitable approaches that will permit the Organization to respond to the requests from Member States for electoral assistance, to do so in order to enable the Secretary-General to include those views in his next report to the General Assembly;

18. Requests the Secretary-General to report to the General Assembly at its forty-seventh session on the implementation of the present resolution, on the experience of the Organization in providing electoral assistance to requesting Member States and on recommendations for providing such assistance, on the detailed guidelines and terms of reference being developed for United Nations electoral involvement and on the nature and disposition of the requests from Member States, under the item entitled "Human rights questions".

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/46/721/Add.1 and Corr.1)]

46/138. Human rights in Haiti

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Reaffirming that all Member States are required to promote and protect human rights and to comply with the obligations laid down in the various instruments in this field,

Taking note of Commission on Human Rights resolution 1991/77 of 6 March 1991 on the situation of human rights in Haiti, 3/

Deeply concerned at the grave events occurring in Haiti since 29 September 1991, which abruptly and violently interrupted the democratic process in that country and have resulted in the violation of human rights and the loss of human lives,

Concerned also at the current mass exodus of Haitian nationals from the country because of the deteriorating political and economic situation since 29 September 1991,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See Official Records of the Economic and Social Council, 1991, Supplement No. 2 (E/1991/22), chap. II, sect. A.

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Noting the unanimous declaration on the situation of the displaced Haitians, adopted by the Permanent Council of the Organization of American States on 22 November 1991, 4/ and the subsequent dispatch by the Inter-American Commission on Human Rights of an investigating team to Haiti on 4 December 1991,

1. Reaffirms its resolution 46/7 of 11 October 1991 concerning the situation of democracy and human rights in Haiti;

2. Strongly condemns the overthrow of the constitutionally elected President, Jean-Bertrand Aristide, and the use of violence and military coercion and the subsequent violation of human rights in that country;

3. Condemns also the flagrant human rights violations committed under the illegal Government set up following the coup of 29 September 1991, particularly summary executions, arbitrary arrests and detentions, torture, searches without warrant, rape, ransacking of private and public buildings, restrictions on the freedoms of movement, expression, assembly and association and the repression of popular demonstrations calling for the return of President Jean-Bertrand Aristide;

4. Expresses its appreciation to the Office of the United Nations High Commissioner for Refugees for the work it is doing in favour of the Haitian nationals fleeing the country and invites Member States to continue giving financial and material support for these efforts;

5. Calls the attention of the international community to the fate of the Haitian nationals who are fleeing the country and requests its support for the efforts undertaken to assist them;

6. Requests the Commission on Human Rights at its forty-eighth session to consider the report of the independent expert appointed by the Secretary-General to review the situation of human rights in Haiti, and invites the independent expert to submit an updated report to the Commission in the light of the events of 29 September 1991 and subsequent developments.

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4/ See document OEA/Ser.G-CP/doc.2208/91 of the Organization of American States of 22 November 1991.